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കേരള ഗസറ്റ്
KERALA GAZETTE
അസാധാരണം
EXTRAORDINARY

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Thiruvananthapuram, Saturday

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13th September 2025
1201 ചിങ്ങം 28
28th Chingam 1201
1947 ഭാദ്രം 22
22nd Bhadra 1947

നമ്പർ No. 3261

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. KLS/7663/2025/Legin-3. *Dated, Thiruvananthapuram, 13th September, 2025.*

THE WILD LIFE PROTECTION (KERALA AMENDMENT) BILL, 2025 (Bill No. 270) together with the Statement of Objects and Reasons, Financial Memorandum and Memorandum Regarding Delegated Legislation, is published under the Rule 69 (1) of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. N. Krishna Kumar
Secretary.

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Fifteenth Kerala Legislative Assembly
Bill No. 270

THE WILD LIFE PROTECTION (KERALA AMENDMENT) BILL, 2025

A

BILL

to amend the Wild Life (Protection) Act, 1972 in its application to the State of Kerala.

Preamble.- WHEREAS, it is expedient to amend the Wild Life (Protection) Act, 1972 in its application to the State of Kerala, for the purposes hereinafter appearing;

BE it enacted in the Seventy-Sixth Year of the Republic of India as follows:-

1. *Short title and commencement*.- (1) This Act may be called the Wild Life Protection (Kerala Amendment) Act, 2025.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force at once.

2. *Amendment of section 1 1* .- In section 11 of the Wild Life (Protection) Act, 1972 (Central Act 53 of 1972) (hereinafter referred to as the principal Act), in sub-section (1),-

(1) in clause (a),-

(i) after the second proviso, the following proviso shall be inserted, namely:-

"Provided also that where such a wild animal has attacked any person and caused or inflicted severe injuries to him, or such animal is found in a public place where people are usually gathered for various purposes or in a residential area, the Chief Wildlife Warden may, upon a report from the District Collector or a Chief Conservator of Forests, without delay, by order in writing and stating the reasons therefore, permit any person to kill, tranquilise, capture or translocate such animal or cause such animal to be killed, tranquilised, captured or translocated.";

(ii) the existing *Explanation* shall be re-numbered as *Explanation 2* thereof and before *Explanation 2* as so re-numbered, the following *Explanation* shall be inserted, namely:-

"*Explanation* 1.- For the purposes of clause (a),-

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(a) a wild animal becomes “dangerous to human life” when any such wild animal has attacked any person outside a forest or protected area or it is found in a residential area outside the boundary of the forest or protected area;

(b) the expression “residential area” means any geographical area where people reside.”;

(2) after clause (b), the following clause shall be inserted, namely:-

“(c) The Chief Wildlife Warden may, if he is satisfied that the population of any wild animal specified in Schedule II has highly increased in any area and has become dangerous to human life or property (including standing crops on any land) take any suitable step for scientific management of such animals by way of population management without killing, by birth control or by translocation of such animal.”.

3. *Amendment of section 62.*- In section 62 of the principal Act, the existing provision shall be numbered as sub-section (1) thereof and after the sub-section (1) as so numbered, the following sub-section shall be inserted, namely:-

“(2) Notwithstanding anything contained in sub-section (1), where the State Government is of the opinion that as per any scientific study report submitted by an expert body appointed by the Government and the report of the Chief Wildlife Warden, the number of any wild animal specified in Schedule II has become dangerous to human life or property (including standing crops on any land outside the boundaries of forests or protected areas), the State Government may, by notification in the Gazette, declare any such animal to be vermin for any area in the State and for such period not exceeding six months at a time and such wild animal shall be deemed not to be included in Schedule II for such area and for such period as specified in the notification:

Provided that every such notification issued under sub-section (2) shall be laid, as soon as may be after it is issued, before the Legislative Assembly of the State, while it is in session, for a total period of fourteen days which may be comprised in one session or in two or more successive sessions.”.

4. *Amendment of SCHEDULE-I.*- In SCHEDULE-I of the principal Act, in PART A: MAMMALS, under the heading 'PRIMATES', the serial number and entries “125. Bonnet Macaque *Macaca radiata*” shall be omitted.

5. *Amendment of SCHEDULE-II.*- In SCHEDULE-II of the principal Act, in PART A: MAMMALS, under the heading 'PRIMATES', after serial number 24 and entries against it, the following serial number and entries shall respectively be inserted, namely:-

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"24A. Bonnet Macaque *Macaca radiata*".

STATEMENT OF OBJECTS AND REASONS

The Wild Life (Protection) Act, 1972 (Central Act 53 of 1972) was enacted by the Parliament on the State subject of "forests" and "protection of wild animals and birds" in the State List in the VIIth Schedule to the Constitution of India as requested by the Legislatures of eleven States by resolution in pursuance of Article 252 of the Constitution. Though the State of Kerala had not passed such a resolution, the Act was enforced in Kerala with effect from the 1st day of June, 1973.

2. The Act was enacted considering the situation prevailed at that time when there was no prohibition for hunting of any wild animal. The Central Government has also considered the rapid decline of wild animals and birds and that certain species had become extinct in the country and also that the State laws were not adequate to deal with the situation then existing.

3. After a long time from the enactment, the number of several species of wild animals and birds have increased in the State and it caused continuous man-animal conflicts and human death and damage to crops.

4. As per the 42nd amendment of the Constitution of India in 1976, the above subjects for legislation has been included in the Concurrent List in the VIIth Schedule to the Constitution of India and as such the State Legislature has power to enact on the subject. Therefore, to deal with the increasing man– animal conflicts and loss of human life and property, the Government decided to make certain State amendments to the Central Act. The proposed amendment is mainly intended for empowering the Chief Wildlife Warden to take sudden actions and to order to kill, without delay, any wild animal if it attacked and inflicted severe injuries to any person in a public place where people are usually gathered or in a residential area.

5. Though the word "dangerous to human life" has been used in section 11 of the Act, the Act does not specify when and in which situation a wild animal can be considered as 'dangerous to human life'. Government have decided to specify the same. It is also proposed for population management of wild animals by way of birth control or translocation.

6. The Bill also provides to empower the State Government to declare any wild animal in Schedule II to the Act to be a vermin. It is also proposed to exclude the species 'Bonnet Macaque' from Schedule I and to include it in Schedule II to the Act.

7. The Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional expenditure from the Consolidated Fund of the State.

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MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub–section (2) proposed to be inserted in section 62 of the Wild Life (Protection) Act, 1972 by clause 3 of the Bill seeks to empower the State Government to issue notification declaring any wild animal in Schedule II to the Act to be vermin.

2. The matter in which notification may be issued is a matter of procedure and is of administrative in nature. Moreover, the notification is subject to scrutiny of the Legislative Assembly. The delegation of legislative power is, therefore, of a normal character.

A. K. SASEENDRAN.

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